

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6210

BILL NUMBER: SB 115

NOTE PREPARED: Feb 13, 2012

BILL AMENDED: Jan 9, 2012

SUBJECT: Description of Political Subdivisions.

FIRST AUTHOR: Sen. Landske

FIRST SPONSOR: Rep. Koch

BILL STATUS: As Passed Senate

FUNDS AFFECTED: ☒ **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill adjusts census numbers in statutes. The bill changes population parameters in various statutes to reflect the population count determined under the 2010 decennial census. The bill also specifies that changes in population parameters in legislation enacted during the 2012 regular session take effect April 1, 2012. The bill updates multipliers that are based on a county's population and used in determining distributions made by the Department of Correction to county misdemeanor funds.

The bill substitutes names for population parameters in the following types of statutes: (1) Statutes legalizing certain actions of particular political subdivisions. (2) Statutes that have been challenged unsuccessfully as special or local legislation. (3) Statutes reserving certain powers to certain political subdivisions at the time of recodification of laws relating to political subdivisions. The bill also resolves a conflict in the statute that defines the classes of cities to provide that a city becomes a first class city when the city attains a population of 600,000. The bill makes conforming amendments.

(The introduced version of this bill was prepared by the Census Data Advisory Committee.)

Effective Date: Upon passage; April 1, 2012.

Explanation of State Expenditures: (Revised) *Updating Multipliers Used to Distribute County Misdemeanant Housing Fund* – These new multipliers could increase state expenditures \$22,134. LSA estimates that the amount that would be available for counties by statute in FY 2012 is \$4,443,715 and the amount that would be available for FY 2013 is \$4,465,849.

Background– The County Misdemeanant Housing Fund was included in the state budget to compensate counties when state law prohibited criminal courts from committing misdemeanants to state prisons.

The formula for determining each county's share of the fund is determined as the highest of the following:

1. The product of multiplying the appropriated amount by each county's proportion of the total state population.
2. A minimum allocation amount assigned to the county under IC 11-12-6-11.1(a).
3. The amount each county received from the state in FY 1999.

The following shows the amount appropriated for each year between FY 1999 and FY 2013.

Appropriations (in \$M) for the County Misdemeanant Fund, FY 1999 - FY 2013.														
1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
\$2.30	\$4.19	\$4.19	\$4.28	\$4.28	\$4.28	\$4.28	\$4.28	\$4.28	\$4.28	\$4.28	\$4.28	\$4.28	\$4.28	\$4.28

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues: (Revised) *Updating Multipliers Used to Distribute County Misdemeanant Fund* – These multipliers are calculated based on the proportion of each county's population to the state's population. As the relative county populations have shifted, some counties will receive more state funding while other counties will receive less. There is a third group of counties that would see no change in the amount of revenue that they would receive.

The following table summarizes these changes in fund distributions.

	Gain	Loss	No Change
Number of Counties	15	50	27
Estimated Change	\$131,759	(\$109,625)	\$0

Counties with Revenue Gains									
Allen	\$856	Clark	\$4,709	Hancock	\$7,278	Jasper	\$1,284	Porter	\$5,137
Bartholomew	\$428	Elkhart	\$1,712	Harrison	\$1,615	Johnson	\$11,131	Tippecanoe	\$8,990
Boone	\$4,709	Hamilton	\$52,229	Hendricks	\$22,690	Monroe	\$6,422	Warrick	\$2,569

Counties with Revenue Losses									
Adams	-\$856	Fayette	-\$2,141	Jennings	-\$428	Newton	-\$856	Spencer	-\$856
Benton	-\$428	Floyd	-\$428	Knox	-\$2,569	Noble	-\$1,284	Starke	-\$1,284
Brown	-\$428	Fountain	-\$1,284	Kosciusko	-\$1,284	Orange	-\$428	Steuben	-\$856
Carroll	-\$856	Fulton	-\$556	Lake	-\$13,699	Owen	-\$1,284	Sullivan	-\$1,284
Cass	-\$2,997	Grant	-\$5,565	LaPorte	-\$3,853	Parke	-\$428	Tipton	-\$856
Clay	-\$1,284	Greene	-\$1,712	Marion	-\$9,418	Posey	-\$2,141	Vigo	-\$3,425
Clinton	-\$2,141	Henry	-\$1,712	Martin	-\$428	Randolph	-\$2,141	Wabash	-\$2,997
Crawford	-\$428	Huntington	-\$2,569	Miami	-\$758	Rush	-\$1,284	Wayne	-\$4,709
DeKalb	-\$428	Jay	-\$1,284	Montgomery	-\$1,284	St. Joseph	-\$10,703	Wells	-\$856
Delaware	-\$5,993	Jefferson	-\$856	Morgan	-\$1,712	Shelby	-\$856	White	-\$1,712

Counties with No Change in Funding				
Blackford	Gibson	Marshall	Ripley	Warren
Daviess	Howard	Ohio	Scott	Washington
Dearborn	Jackson	Perry	Switzerland	Whitley
Decatur	LaGrange	Pike	Union	
Dubois	Lawrence	Pulaski	Vanderburgh	
Franklin	Madison	Putnam	Vermillion	

State Agencies Affected:

Local Agencies Affected: County Sheriffs.

Information Sources: Department of Correction, State Budget.

Fiscal Analyst: Chris Baker, 317-232-9851; Mark Goodpaster 317-232-9852.